

House Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-second Legislature
First Special Session
2015

CHAPTER 2

HOUSE BILL 2002

AN ACT

PROVIDING FOR A SPECIAL ELECTION FOR THE PURPOSE OF VOTING ON AMENDMENTS TO THE CONSTITUTION OF ARIZONA RELATING TO EDUCATION FINANCE; APPROPRIATING MONIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Special election

3 Under the authority of and in accordance with article XXI, section 1,
4 Constitution of Arizona, a special election is called to be held May 17, 2016
5 and to be conducted by the officers conducting regular elections.

6 Sec. 2. Purpose of election

7 The purpose of the special election called by this act is to submit to
8 a vote of the people certain amendments to the Constitution of Arizona that
9 are proposed by House concurrent resolution 2001, fifty-second legislature,
10 first special session, that are approved by a majority of the members of each
11 house of the legislature and that amend the Constitution of Arizona to
12 provide for education finance.

13 Sec. 3. Publicity pamphlet; secretary of state

14 A. The secretary of state shall cause to be printed in pamphlet form a
15 sample ballot and a true copy of the official title and text of each proposed
16 amendment, with the number and form in which the descriptive title will be
17 printed on the official ballot as prescribed by section 19-125, Arizona
18 Revised Statutes. In addition, the publicity pamphlet shall contain a
19 legislative council analysis, a joint legislative budget committee staff
20 fiscal impact statement summary and any arguments submitted in support of or
21 opposition to the proposed amendments as prescribed by section 19-124,
22 Arizona Revised Statutes. The legislative council analysis and joint
23 legislative budget committee fiscal impact statement summary shall be
24 submitted to the secretary of state no later than December 4, 2015, and any
25 arguments shall be submitted to the secretary of state no later than December
26 4, 2015. A person submitting an argument in support of or opposition to the
27 proposed amendments shall make the payment prescribed pursuant to section
28 19-124, subsection D, Arizona Revised Statutes.

29 B. Notwithstanding section 19-123, Arizona Revised Statutes, the
30 secretary of state is not required to conduct public meetings on the proposed
31 amendments.

32 C. At least ten days before the special election called by this act,
33 the secretary of state shall cause each proposed amendment to be published
34 for a period of at least three days in a daily newspaper in every county in
35 the state in which a newspaper is published or, if there is not such a
36 newspaper, at least one time in a weekly newspaper.

37 D. The secretary of state shall mail one copy of the publicity
38 pamphlet to every household that contains a registered voter. The mailings
39 may be made over a period of days but shall be mailed in order to be
40 delivered to households before the earliest date for the receipt by
41 registered voters of any requested early ballots for the election.

42 E. The secretary of state shall distribute the publicity pamphlet in
43 other forms and methods deemed advisable by the secretary of state.

1 Sec. 4. Form of ballot

2 A. The officer in charge of elections shall comply with section
3 19-125, subsections E and F, Arizona Revised Statutes, with respect to
4 printing the full text of each measure on the ballot.

5 B. If a political subdivision contracts with a county for election
6 services and that political subdivision chooses to hold a local election on
7 May 17, 2016, the political subdivision shall only use a ballot and format of
8 the election where the questions presented pursuant to article XXI, section
9 1, Constitution of Arizona, appear, and the constitutional amendments shall
10 appear first before the other matters of the political subdivision.

11 Sec. 5. Applicability of general election laws; exceptions

12 A. The secretary of state and county officers in charge of elections
13 are exempt from compliance with competitive bidding processes to the extent
14 that those processes will conflict with the timely printing and distribution
15 of publicity pamphlets, ballots and other election materials or the timely
16 conduct of the special election required by this act.

17 B. The special election called by this act shall be governed and
18 administered under the general laws of this state regarding elections to the
19 greatest extent practicable and shall be administered in a manner consistent
20 with a presidential preference election with consolidated precincts. The
21 county boards of supervisors shall deliver the canvass to the secretary of
22 state within ten days after the special election, and the canvass shall be
23 completed by the secretary of state on or before the second Monday after the
24 special election.

25 Sec. 6. Campaign finance; reporting of contributions and
26 expenditures by committees acting on special ballot
27 measures; civil penalty; applicability

28 A. Any political committee that acts in support of or opposition to
29 the qualification, passage or defeat of any ballot measure, question or
30 proposition that is the subject of the special election called by this act
31 shall organize and register as a special election political committee and
32 shall file reports of contributions and expenditures pursuant to title 16,
33 chapter 6, article 1, Arizona Revised Statutes.

34 B. Notwithstanding the reporting schedule prescribed by section
35 16-913, Arizona Revised Statutes, a political committee that is subject to
36 subsection A of this section shall file campaign finance reports pursuant to
37 section 16-915, Arizona Revised Statutes, as follows:

38 1. A preelection report, which shall be filed at least sixty days
39 before the special election and which shall be complete through the
40 eighty-fourth day before the election.

41 2. A preelection report, which shall be filed at least four days
42 before the special election and which shall be complete through the tenth day
43 before the election.

1 3. A postelection report, which shall be filed not more than thirty
2 days after the special election and which shall be complete through the
3 twenty-first day after the election.

4 4. A postelection report, which shall cover the period beginning
5 twenty-two days after the date of the special election through the ninetieth
6 day after the special election, and another report of contributions and
7 expenditures every ninety days thereafter or until the committee terminates.

8 C. A political committee that is subject to subsection A of this
9 section shall notify the secretary of state of the following:

10 1. Any contribution or group of contributions to the committee that is
11 made from a single source less than twenty days before the day of the
12 election if it exceeds a cumulative total of ten thousand dollars for a
13 ballot measure.

14 2. Each time any of the following occurs:

15 (a) The committee receives contributions totaling ten thousand dollars
16 or more.

17 (b) The committee makes expenditures totaling ten thousand dollars or
18 more.

19 (c) The committee receives contributions totaling ten thousand dollars
20 or more from a single source.

21 (d) The committee receives contributions totaling ten thousand dollars
22 or more from different additional single sources.

23 D. The notices prescribed by subsection C of this section shall be
24 filed within twenty-four hours, excluding Saturdays, Sundays and other legal
25 holidays, after the ten thousand dollar amount has been reached and shall
26 include the identification of the contributors, the dates of receipt and the
27 amounts of the contributions or the amount, recipient and purpose of the
28 expenditures. Contributions that are subject to the notification
29 requirements of subsection C of this section shall be included in the next
30 report filed pursuant to subsection B of this section.

31 E. A political committee that violates this section or a person who
32 knowingly violates this section is liable in a civil action for a civil
33 penalty of up to three times the amount improperly reported as prescribed by
34 section 16-924, Arizona Revised Statutes.

35 F. For the purposes of this section:

36 1. The definitions prescribed in sections 16-901 and 16-914.01,
37 Arizona Revised Statutes, apply.

38 2. Title 16, chapter 6, article 1, Arizona Revised Statutes, applies
39 to the special election called by this act to the greatest extent
40 practicable.

41 Sec. 7. Reimbursement of county expenses

42 A. The secretary of state shall reimburse counties for the cost of
43 printing ballots and other election materials for the special election and
44 shall reimburse counties for compensation paid to election board and tally
45 board officers serving during the special election, as well as other costs of

1 administering the election. The secretary of state may advance a portion of
2 estimated expenses to each county. A county that receives an advance shall
3 provide subsequent documentation to the secretary of state pursuant to
4 subsection B of this section.

5 B. The clerk of the board of supervisors of each county shall submit
6 to the secretary of state for approval an itemized claim, together with
7 documentation, verified by the clerk for expenses incurred or to be incurred
8 by the county as prescribed by subsection A of this section. On approval of
9 the claim by the secretary of state, the claim shall be submitted to the
10 department of administration for payment to the county from the monies
11 appropriated for this purpose in fiscal year 2015-2016.

12 Sec. 8. Appropriation; secretary of state; exemption

13 A. The sum of \$9,300,000 is appropriated from the state general fund
14 in fiscal year 2015-2016 to the secretary of state for the purposes provided
15 in this act.

16 B. The appropriation made in subsection A of this section is exempt
17 from the provisions of section 35-190, Arizona Revised Statutes, relating to
18 lapsing of appropriations.

PASSED BY THE HOUSE OCTOBER 29, 2015.

PASSED BY THE SENATE OCTOBER 30, 2015.

APPROVED BY THE GOVERNOR OCTOBER 30, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE OCTOBER 30, 2015.

Passed the House October 29, 2015

by the following vote: 35 Ayes,

22 Nays, 3 Not Voting

[Signature]
Speaker of the House

☐ Pro Tempore

[Signature]
Chief Clerk of the House

Passed the Senate October 30, 2015

by the following vote: 20 Ayes,

7 Nays, 2 Not Voting, 1 Vacant

[Signature]
President of the Senate

[Signature]
Acting Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

30th day of October, 20 15

at 12:27 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 30th day of

October

at 1:40 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 30 day of October, 20 15

at 2:20 o'clock P. M.

[Signature]
Secretary of State

H.B. 2002
First Special Session